

The Supreme Court of South Carolina

Warren Russell, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2012-213313

ORDER

Petitioner moved to relieve counsel and proceed *pro se* in this matter. By order dated October 2, 2013, the Court informed petitioner he could proceed *pro se*, but only after knowingly and intelligently waiving his right to counsel. The Court warned petitioner of the dangers and disadvantages of proceeding *pro se* and gave him twenty days to consider the information and notify the Court whether he still wished to proceed *pro se* or wanted to continue with counsel.

Petitioner has now informed the Court that he is fully aware of the dangers and disadvantages of proceeding *pro se* and that he wishes to waive his right to counsel. However, petitioner states that in order for him to proceed *pro se*, he will need documentation from the Court informing prison authorities that petitioner must be allowed access to the law library and access to copies of the appendix and briefs to submit to the Court. Finally, petitioner contends that if the Court grants the petition for a writ of certiorari as to his direct appeal issues, he will need representation at that point.

We hereby relieve petitioner's counsel and grant petitioner's request to proceed *pro se*. We find this order is sufficient documentation of the fact that petitioner is preparing his own case. Petitioner may present a copy of the order to prison authorities and it is up to them to determine how much time petitioner will be allowed to spend in the prison law library according to prison policies.

With regard to petitioner's statement that he needs access to copies of the appendix and briefs to submit to this Court, it appears he is seeking assistance with *making*

copies to submit to the Court. We hereby direct the Division of Appellate Defense to provide petitioner with copies of the transcript and other documents in their possession necessary for the appendix and return to petitioner the *pro se* briefs he has submitted to the Division up to this point. Once petitioner has compiled the appendix and completed his petition for a writ of certiorari, he shall forward them to the Division of Appellate Defense for the purpose of making the necessary copies and serving and filing the documents. Petitioner shall insure the appendix and petition is forwarded to the Division of Appellate Defense in a timely manner, such that the Division has sufficient time to make the necessary copies and serve and file them by the filing deadline.

 C.J.
FOR THE COURT

Columbia, South Carolina

November 7, 2013

cc:

Robert Michael Dudek
Megan E. Harrigan
Warren Russell, 316802